

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

MODEL ME KIDS, LLC,

Plaintiff,

v.

MODEL-ME-KIDS, INC.,

Defendant.

Case No. 1:22-cv-23871-JEM

**PLAINTIFF'S RENEWED<sup>1</sup> REQUEST FOR ENTRY OF CLERK'S DEFAULT**

Plaintiff Model Me Kids, LLC, by and through its counsel, hereby requests that the Clerk enter default in this matter against Defendant Model-Me-Kids, Inc. on the ground that Defendant has failed to appear or otherwise respond to the Complaint within the times prescribed by the Federal Rules of Civil Procedure.

On December 8, 2022, Defendant, through its principal, was served with a copy of the Summons and Complaint in this case. [D.E. 6]. Thereafter, at Defendant's principal's request, Plaintiff permitted Defendant up to and including January 20, 2023 to respond to the Complaint. *See* Declaration of James Slater ¶ 5 ("Slater Decl.") [D.E. 7-1]. On January 20, 2023, Defendant's principal purported to file a motion for extension of time for Defendant to respond to the Complaint. [D.E. 5]. Because the motion was filed without a lawyer representing Defendant—a

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<sup>1</sup> Previously, the Clerk denied this request because Defendant Model-Me-Kids, Inc. had filed a motion for extension of time, which the Court has now stricken. [D.E. 8, 9].

nonprofit entity—, [D.E. 7-1 ¶ 8], the Court struck the motion and directed the Clerk to strike it from the docket. [D.E. 9].

Accordingly, the time allowed for Defendant to respond to the Complaint has expired and no further extensions were given by Plaintiff. [D.E. 6; D.E. 7-1 ¶ 6]. Defendant has failed to answer or otherwise defend the Complaint as set forth above. Defendant is an entity and therefore the Servicemembers Civil Relief Act does not apply.

WHEREFORE, Plaintiff Model Me Kids, LLC requests that a default be entered against Defendant Model-Me-Kids, Inc.

Dated: January 23, 2023.

Respectfully submitted,

SLATER LEGAL PLLC

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### **Certificate of Service**

I hereby certify that a true and correct copy of this document was mailed to Model-Me-Kids, Inc., c/o Shushona Cooper, 17801 N.W. 2<sup>nd</sup> Ave #211, Miami Gardens, Florida 33169.

By: **James M. Slater**  
James M. Slater